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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,952	08/10/2001	Tetsuo Endoh	900-397	5574

7590 01/21/2003

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EXAMINER

NGUYEN, JOSEPH H

ART UNIT

PAPER NUMBER

2815

DATE MAILED: 01/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/925,952	ENDOH ET AL.
	Examiner	Art Unit
	Joseph Nguyen	2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  
 If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  
 If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  
 Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-28 is/are pending in the application.  
 4a) Of the above claim(s) 20-28 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.  
 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.  
 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Election/Restrictions***

Applicant's election without traverse of claims 1-19 in Paper No. 4 is acknowledged. Therefore, claims 1-19 are hereby prosecuted whereas claims 20-28 are withdrawn from consideration.

### ***Claim Objections***

Claim 13 is objected to because of the following informalities: --cannel—should be --channel--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

- (e) the invention was described in-
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 7-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi.

Regarding claim 1, Kobayashi discloses on figure 15 a semiconductor memory comprising a first conductivity semiconductor substrate 101 and one or more memory cells constituted of an island like semiconductor layer, a charge storage 111c and a control gate 114, the charge storage layer and the control gate being formed to entirely or partially encircle a sidewall of the island like semiconductor layer, wherein at least

one or more memory cells is electrically insulated from the semiconductor substrate  
101.

Regarding claim 7, Kobayashi discloses on figure 15 wherein a plurality of memory cells are formed with regard to one island like semiconductor layer and memory cells are arranged in series.

Regarding claims 8-18, Kobayashi discloses on figure 15 all the structures set forth in claims 8-18.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshida et al.

Regarding claim 1, Yoshida et al discloses on figure 4a a semiconductor memory comprising a first conductivity semiconductor substrate 1 and one or more memory cells constituted of an island like semiconductor layer, a charge storage 22 and a control gate 24, the charge storage layer and the control gate being formed to entirely or partially encircle a sidewall of the island like semiconductor layer, wherein at least one or more memory cells is electrically insulated from the semiconductor substrate 1.

Regarding claim 2, Yoshida et al discloses on figure 4a said at least one memory cell is electrically insulated from the semiconductor substrate 1 by a second conductivity type impurity diffusion layer 3 formed in the semiconductor substrate.

Regarding claims 3-19, Yoshida et al discloses on figure 4a all the structure set forth in claims 3-19.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6107670 to Masuda discloses contact structure of a semiconductor device.

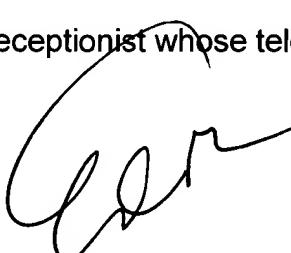
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (703) 308-1269. The examiner can normally be reached on Monday-Friday, 7:30 am- 4:30 pm

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on (703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 308-7382 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JN  
January 15, 2003



EDDIE LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800